PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, FEBRUARY 27, 1979

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening February 27 A.D., 1979, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT A,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,
ABSENT
COUNCILMAN , , ,
, , ,

The invocation was given by

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular February 13, 19 79,
, 19 ,
Special , 19 ,
Session having been delivered to the Council, were, on motion, approved and published.

President of the Common Council
City of Fort Wayne, Indiana

MADE A MATTER OF RECORD
DATE 2-27-79 CHARLES W. WESTERMAN, CITY CLERK

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 11/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 11/79 E)

I hereby certify that I did this 14th day of February, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 11/79 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 11/79/E

(Adopted February 14, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8:00 AM. - 6:00 PM (EMERGENCY)

DELETE: ONE HOUR PARKING 8:00 AM - 6:00 PM (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 13, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective February 14, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS EXTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)
Barr St. -- East side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides -- Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.

DELETE:
ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)
Barr St. -- east side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides -- Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.

President of the Common Council
City of Fort Wayne, Indiana

MADE A PART OF RECORD
DATE 2-27-79
SIGNATURE M. WASTERMAN CITY CLERK

Gentlemen:

Attached herewith are authenticated copies of the Board of' Public Safety Regulatory Resolution Number: 12/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Terry Coonan

Respectfully submitted,

RETURN CERTIFICATE

(Regulatory Resolution No. 12/79/E)

I hereby certify that I did this 15th day of February, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 12/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 12/79/E

(Adopted February 15, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 14, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective February 15, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS EXTABLISHED:

THRU STREET (EMERGENCY)

Goshen Rd. -- from -- State Blvd. to Coliseum Blvd. except at State Blvd., Sherman Blvd., and Coliseum Blvd.

City of Fort Wayne
OFFICE OF THE CITY CLERK
ROOM 120, CITY-COUNTY BUILDING
ONE EAST MAIN ST., FORT WAYNE, INDIANA 46802

MADE A MATTER OF RECORD
DATE 2-27-79 CHARLES W. WESTERMAN, CITY CLERK

CHARLES W. WESTERMAN, CLERK
TELEPHONE 219-423-7183

27 February 1979

MEMORANDUM TO: Fort Wayne City Controller's Office
William G. Schnizer
FROM: Charles W. Westerman, City Clerk
RE: Claim and Allowance Docket

Please be advised that your newly-instituted practice, which began on 1 January, of sending claims of the various city departments from your office to me is clearly in contradiction of I.C. 18-1-20-1. This portion of state law dictates the intent and manner of placing claims on the claim docket in my office prior to allowing such claims, a dictate which you no longer are obeying. I am requesting that this practice be immediately discontinued and that Indiana Code be adhered to.

Claims must be numbered by the City Clerk's Office in order to properly account for their existence. For instance, the attached sheet lists some 72 claims missing as of last week as a direct result of you or your departments numbering and not forwarding claims.

Further, I have discovered that many claims which are forwarded already have been allowed by the various board or commission. Clearly, the state law spells out a five-day period between the time such claims are posted in the Claim and Allowance Docket in my office and the day they are allowed. The intent of this requirement is obvious (and also spelled out in state law): to allow any taxpayer to inspect the claims before they are approved by the appropriate board of commission. Your practice completely circumvents the intent of the law. An inspection of claims returned to you from my office will bear this out, but I will be happy to specify these circumventions if you so desire.

Finally, my office has discovered that the final claim duplicates sent for filing in my office in several instances do not duplicate the original claim; there are discrepancies between the original claim and the duplicate.

I am well aware of proposed changes to the existing I.C. mandates which require a system of checks and balances -- changes which I personally oppose -- but as of this date, the law stands precisely as I.C. 18-1-20-1 reads. Therefore, I am requesting that you revert to this system, as you operated on and before December 31, 1978, which allows me to maintain the Claim and Allowance Docket as law prescribes.

Sincerely,

Charles W. Westerman

Charles W. Westerman

xc: Fort Wayne City Council

Claims missing as of 22 February 79

Department	Claim Numbers
Mayor's Office	#10, 14
Controller	#19, 28
Purchasing	#2, 8
Metr. Human Relations	#11, 15
Board of Public Works	#12
Weights & Measures	#4
C.D.&P.	#34, 39
Law Department	#16, 23
Street Engineering	#5, 6
Traffic Engineering	#47, 67
Police Department	#64, 65, 105, 106
Fire Department	#20, 25, 27
Ofc. Emergency Svs.	#4
Humane Commission	#21
Communications Dept.	#5, 15
E.M.S.	#15, 16, 17, 38
C.E.T.A.	#179, 180, 215, 240, 241, 267, 268
Aviation	#49, 50
Park Department	$243, 244, 327, 349, 413, 414
Motor Vehicle Highway	#19
E.E.O.C. '706' contract	#8, 13
Parking Administration	#16, 30
Rev. Shar. Trust Fund	#18, 23
Federal Revolving Funds	#5, 6, 15, 16
E.D.A.	#9, 12
Com. Dev. Block Grant	#84, 85, 86, 118, 126, 127, 128, 129, 130
Senior Citizen Ctr.	#4

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION
100 North Senate Avenue
Indianapolis, Indiana 46204

INDIANAPOLIS
Room 1101, State Office Building
317-633-5816

February 21, 1979

MADE A MATTER OF RECORD
DATE 2-27-79 CLERK W. WESTERMAN, CITY CLERK

City Clerk
City Hall
Ft. Wayne, In

Re: US 27 & Wallace St.
City of Ft. Wayne
Allen County
Turning movements

Dear Sir:

Attached is a copy of a resolution controlling turning movements at the above location as approved by the State Highway Commission on February 21, 1979.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor R. Armstrong
Clerk of Circuit Court
State Police
Ft. Wayne District

CAV/md

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Turning movements shall be controlled at the intersection of US 27 (Lafayette St.) and Wallace Street in the City of Ft. Wayne, Allen County, as follows:

"NO TURN ON RED" shall be established on the south approach to the intersection of US 27 (Lafayette St.) and Wallace Street.

"RIGHT TURN ON RED" shall be permitted on the east, west and north approaches to the intersection of US 27 (Lafayette St.) and Wallace Street.

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 21st DAY OF February 1979

Approved: Clinton A. Venable jcd
Chief, Division of Traffic

Indiana State Highway Commission

Approved: D. W. Lucas
Chief of Highway Operations

BY: Roger F. Marsh
Executive Director

Approved: G K Hallock
Chief Highway Engineer

ATTEST:

Secretary to the Commission

NO TURN ON RED

13-79

Commission Number 01-002-111 District FORT WAYNE

City FORT WAYNE County ALLEN

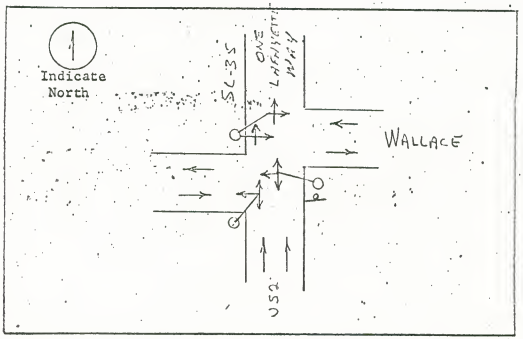
Location US 27 NB (LAFAYETTE ST.) & WALLACE

Investigated by T.C. Lindsey & B.R. Shaffer Date Investigated 4-29-74

Re-investigated by - Theron C. Lindsey 1-31-79

"TURN ON RED" PROHIBITED/PERMITTED as indicated for each approach:

Approach	Prohibited/ Permitted	Reason for Prohibition
S	Prohibited RECOMMENDED	Turn on Red would not be able to identify thru traffic.
E	PERMITTED	
N	—	
W	—	



NO TURN ON RED sign indicated by o

STATE OF INDIANA

INDIANAPOLIS, 46204

PUBLIC SERVICE COMMISSION
901 STATE OFFICE BUILDING

February 13, 1979

Executive Director Indiana State Highway Commission
Executive Director Indiana Department of Commerce
Director Indiana Department of Natural Resources
Board of County Commissioners Allen County
Clerk City of Fort Wayne
Clerk Town of _____

In compliance with House Enrolled Act No. 1012. An Act to amend I.C. 1971, 8-3-1, relating to the duties of the Public Service Commission in railroad abandonments.

Enclosed herewith publication of the United States Railway Association identified as AB-10 (Sub #17F) and providing for proposed abandonment of railroad facilities in Allen County.

By: Larry J. Wallace
Chairman
Public Service Commission of Indiana

cc: Frank Biddinger
Jean Hittle

MADE A MATTER OF RECORD
DATE 2-27-79 CHARLES W. WESTERMAN, CITY CLERK

NO. AB-10 (SUB-NO. 17F)

NOTICE OF INTENT TO ABANDON OR TO DISCONTINUE SERVICE

The Lake Erie and Fort Wayne Railroad Company ("LE&FW") hereby gives notice that on or about March 19, 1979 it intends to file with the Interstate Commerce Commission, Washington, D. C. 20423, an application for a certificate of public convenience and necessity permitting the abandonment of a portion of its main line trackage extending from the southern terminus of its line at Station 90 + 04 feet in a northerly direction to Station 47 + 00 feet, a distance of approximately 4,304 feet all within the city limits of Fort Wayne, Indiana. The line for which the abandonment application will be filed includes no stations itself but is governed by the LE&FW station of Fort Wayne, Indiana at railroad Station 17 + 37 feet. LE&FW is a wholly owned subsidiary of Norfolk and Western Railway Company ("NW").

The reason for the proposed abandonment is that the trackage proposed for abandonment serves no rail patrons and is no longer necessary for interchange purposes, thus making it surplusage. This trackage was once used for interchange between LE&FW and Wabash Railroad Company ("Wabash"). However, NW subsequently acquired the right to operate Wabash by lease and also acquired the former New York, Chicago and St. Louis Railroad Company ("NKP") by merger. Thus, traffic between LE&FW and points on the Wabash (NW-operated) can now be interchanged via LE&FW's connection with the former NKP

Norfolk and Western Railway Company
Law Department
Roanoke, Virginia 24042

John S. Shannon
Vice President

Donald M. Tolmie
General Counsel

Thomas B. Mason
Richard A. Keeney
General Solicitors

Richard W. Klenle
Ronald W. Moore
James C. Bishop, Jr.
Richard W. Parker
Peter J. Hunter, Jr.
General Attorneys

William C. Wooldridge
Henry D. Light
Assistant General Solicitors

R. Curtis Steele, Jr.
Angelica Didier Lloyd
Assistant General Attorneys

J. Gary Lane
Attorney

February 9, 1979

RECEIVED
FEB 12 1979
PUBLIC SERVICE COMMISSION
OF INDIANA
TRANSPORTATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Otis R. Bowen
Governor of Indiana
Indianapolis, Indiana 46209

Dear Sir:

Pursuant to regulations of the Interstate Commerce Commission found at 49 C.F.R. § 1121.30(a), Fort Wayne Union Railway Company ("FWU") hereby gives notice of its intent to file an application for abandonment of a portion of its main line trackage located in Adams Township, Allen County, Indiana.

Also, pursuant to the aforesaid authority, The Lake Erie and Fort Wayne Railroad Company ("LE&FW") hereby gives notice of its intent to file an application for abandonment of a portion of its main line trackage located in the City of Fort Wayne, Indiana.

Norfolk and Western Railway Company owns the entire capital stock of LE&FW and is a 50% owner of the capital stock (The Penn Central Corporation holding the other 50%) of FWU. Enclosed are copies of the notices of intent in the form prescribed by the Commission.

Very truly yours,

R. Curtis Steele, Jr.

RCS/d

Enclosures

cc(w/enc.) - Indiana Public Service Commission, 901 Indiana State Office Building, Indianapolis, Indiana 46209

Mr. John Dring, Director for the Railroad Department, Indiana Public Service Commission, 901 State Office Building, Indianapolis, Indiana 46209

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

donald j. schmidt

councilman, 2nd district

February 27, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I have been assigned to the Valpariso Sectional Basketball Tourney by the Indiana High School Athletic Association, therefore I shall be out of town tonight.

Respectfully yours,

Donald J. Schmidt
Councilman, 2nd District

MADE A MATTER OF RECORD
DATE 2-27-79 CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of February, 19 79 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, FEBRUARY 27, 1979

CITY OF FORT WAYNE INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening February 27, 1979, in Regular Session. President Winfield C. Moses, Jr., in the chair, and Charles W. Westerman Clerk, at the desk, present the following members eight viz:

Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Absent: One
D. Schmidt

The minutes of the last Regular February 13, 1979, Session having been delivered to the Council, were, on motion, approved and published.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 11/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 2-27-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 11/79/E)

I hereby certify that I did this 14th day of February, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 11/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 (a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55 adopted FEB. 14, 1961

Terry Coonan
Chairman

REGULATORY RESOLUTION NO. 11/79/E
(ADOPTED February 14, 1979)

WHEREAS, Section 17-4 (a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY) DELETE: ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 13, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC

SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 (a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted Feb. 14, 1961 to make experimental regulations to cover special conditions it is hereby ordered, effective February 14, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. --East side--	Berry St. to Wayne St.
Berry St. --north side--	Barr St. to Lafayette St.
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Harrison St. --west side--	Berry St. to Main St.
Harrison St. --west side--	Washington Blvd. to Wayne St.
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DELETE:

ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

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COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 12/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 2-27-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 12/79/E)

I hereby certify that I did this 15th day of February, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 12/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 (a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55 adopted FEB. 14, 1961

Terry Coonan
Chairman

REGULATORY RESOLUTION NO. 12/79/E
(ADOPTED February 15, 1979)

WHEREAS, Section 17-4 (a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY), and.

WHEREAS, the City Traffic Engineer has, by written memorandum

dated February 14,1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 (a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted Feb. 14, 1961 to make experimental regulations to cover special conditions it is hereby ordered, effective February 15, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

THRU STREET		(EMERGENCY)
Goshen RD.	--from--	State Blvd. to Coliseum Blvd. except at State Blvd., Sherman Blvd., and Coliseum Blvd.

COMMUNICATION FROM CHARLES W. WESTERMAN, CITY CLERK

27 February 1979

MEMORANDUM TO: Fort Wayne City Controller's Office
William G. Schnizer
FROM: Charles W. Westerman, City Clerk
RE: Claim and Allowance Docket

Please be advised that your newly-instituted practice, which began on 1 January, of sending claims of the various city departments from your office to me is clearly in contradiction of I.C. 18-1-20-1. This portion of state law dictates the intent and manner of placing claims on the claim docket in my office prior to allowing such claims, a dictate which you no longer are obeying. I am requesting that this practice be immediately discontinuted and that Indiana Code be adhered to.

Claims must be numbered by the City Clerk's Office in order to properly account for their existence. For instance, the attached sheet lists some 72 claims missing as of last week as a direct result of you and your departments numbering and not forwarding claims.

Further, I have discovered that many claims which are forwarded already have been allowed by the various board or commission. Clearly, the state law spells out a five-day period between the time such claims are posted in the Claim

and Allowance Docket in my office and the day they are allowed. The intent of this requirement is obvious (and also spelled out in state law): to allow any taxpayer to inspect the claims before they are approved by the appropriate board of commission. Your practice completely circumvents the intent of the law. An inspection of claims returned to you from my office will bear this out, but I will be happy to specify these circumventions if you so desire.

Finally, my office has discovered that the final claim duplicates sent for filing in my office in several instances do not duplicate the original claim; there are discrepancies between the original claim and the duplicate.

I am well aware of proposed changes to the exisiting I.C. mandates which require a system of checks and balances -- changes which I personally oppose -- but as of this date, the law stands precisely as I.C. 18-1-20-1 reads. Therefore, I am requesting that you revert to this system, as you operated on and before December 31, 1978, which allows me to maintain the Claim and Allowan ce Docket as law prescribes.

Sincerely,

Charles W. Westerman

Made a matter of record 2-27-79

Charles W. Westerman
City Clerk

COMMUNICATION FROM THE INDIANA STATE HIGHWAY

STATE OF INDIANA INDIANAPOLIS

INDIANA STATE HIGHWAY COMMISSION

February 21, 1979

City Clerk
City Hall Ft. Wayne, IN

RE: US 27 & Wallace St.
City of Fort Wayne
Allen County
Turning movements

Dear Sir:

Attached is a copy of a resolution controlling turning movements at the above location as approved by the State Highway Commission on February 21,1979.

Very truly yours,

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor R. Armstrong
Clerk of Circuit Court
State Police
Ft. Wayne District

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Turning movements shall be controlled at the intersection of US 27 (Lafayette St.) and Wallace Street in the City of Fort Wayne, Allen County, as follows:

"NO TURN ON RED" shall be established on the south approach to the intersection of US 27 (Lafayette St.) and Wallace Street.

"RIGHT TURN ON RED shall be permitted on the east, west and north approaches to the intersection of US 27 (Lafayette St.) and Wallace Street.

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 21st DAY OF February ,1979

Approved: Clinton A. Venable Indiana State Highway Commission
Chief, Division of Traffic

Approved: D. W. Lucas BY: Roger F. Marsh
Chief of Highway Operations Executive Director

Approved G. K. Hallocle ATTEST:
Chief Highway Engineer

Secretary to the Commission

Made a matter or record 2-27-79 Charles W. Westerman
City Clerk

COMMUNICATION FROM THE PUBLIC SERVICE COMMISSION

STATE OF INDIANA INDIANAPOLIS, 46204

PUBLIC SERVICE COMMISSION
901 State Office Building

February 13, 1979

Executive Director Indiana State Highway Commission
Executive Director Indiana Department of Commerce
Director Indiana Department of Natural Resources
Board of County Commissioners Allen County
Clerk City of Fort Wayne
Clerk Town of

In compliance with House Enrolled Act No. 1012. An Act to amend I.C. 1971, 8-3-1, relating to the duties of the Public Service Commission in railroad abandonments.

Enclosed herewith publication of the United States Railway Association identified as AE-10 (Sub #17F) and providing for proposed abandonment of of railroad facilities in Allen County.

By: Larry J. Wallace
Chairman
Public Service Commission of Indiana

Made a matter of record 2-27-79

Charles W. Westerman
City Clerk

COMMUNICATION FROM COUNCILMAN DONALD J. SCHMIDT,
2ND DISTIRCT

February 27, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I have been assigned to the Valpariso Sectional Basketball Tourney by the Indiana High School Athletic Association, therefore I shall be out of town tonight.

Respectfully yours,

Donald J. Schmidt,
Councilman 2nd District

Made a matter of record 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-26

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement to Purchase by Arene Laster and Geraldine Laster

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated February 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Arene Laster and Geraldine Laster for:

Lot 80 McCulloch's 2nd Addition to the City of Fort Wayne, Indiana,

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-27

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a certain bid document for purchase of materials for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 877, dated January 16, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and American Highway Sign Company, Inc., for Aluminum Sign Blanks and Extruded Aluminum, at a total cost of $4,759.90, all as more particularly set forth in said bid document Ref. No. 877 and Purchase Order No. 4-05918i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-28

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a certain bid document for purchase of materials for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 880, dated January 17, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and Hall Signs, Inc., for "U" Channel Sign Posts, at a total cost of $20,818.00, all as more particularly set forth in said bid document Ref. No. 880 and Purchase Order No. 4-05922i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-29

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a certain bid document for purchase of materials for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED EY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 879, dated January 17, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and Baltimore Paint & Chemical Corporation, for Pavement Marking Materials, at a total cost of $37,486.50, all as more particularly set forth in said bid document Ref. No. 879 and Purchase Order No. 4-05920i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-30

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a certain bid document for purchase of material for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document REf. No. 878, dated January 17, 1979, between the City of Fort Wayne,by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and Flex-O-Lite Division GSI, Inc., for Glass Sphere Road Beads, at a total cost of $7,698.39, all as more particularly set forth in said bid document Ref. No. 878 and Purchase Order No. 4-05919i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-31

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract between GT&E Data Services and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated January 21, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and GT&E Data Services, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

> Lots Number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the Northeast quarter of the southeast quarter of Section 14, Township 31 North, Range 12, Allen County, Indiana, at the southwest corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of City

SECTION 2. That the cost of GT&E Data Services shall be the sum of $3,935.59, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmdit
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-36

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities purchase Order No. 0842 with Rockwell International for meters for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0842, dated February 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International for:

Ten Standard Register Piston Water Meters with readings for cubic foot registers for Water Maintenance & Service Department,

at a cost of $2,180.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-37

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities Purchase Order No. 0870 with General Electric Company for lens for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0870, dated February 9, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

400 Town and Country Lens, 175 W. for use in the City Street Lighting System for Street Lighting Department,

at a cost of $2,232.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-38

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities Purchase Order No. 0871 with Walker Process Division of Chicago Bridge & Iron Company for supplies for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0871, dated February 7, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Walker Process Division of Chicago Bridge & Iron Company, for:

> Asbestos Gaskets, Refractory Shell Assemblies and Carball Shell, essential replacement spare parts necessary for operation of Carball Units at Three Rivers Filtration Plant,

at a cost of $8,073.70, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on City UTilities

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-39

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0881 for uniform rental for the Street Department and City Utilities Personnel

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order - City Utilities Purchase Order No. B-0881, dated February 9, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Mechanics Laundry & Supply Inc., for:

> Uniform rental from April 1, 1979 to March 31, 1980, for the Street Department and City Utilities Personnel, as requested by the General Superintendent of City Utilities,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-40

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5823-78,
between the City of Fort Wayne, Indiana
and Dailey Asphalt Products Co., Inc. for
resurfacing a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated February 7, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Company, Inc., for:

resurfacing and restoring pavement on Decatur Road
from the east pavement line of Lafayette Street to
the north curb line of Tillman Road,

under Board of Public Works Street Improvement Resolution No. 5823-78, at a total cost of $96,920.05, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-01-32

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. Q-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 District General Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. Q-7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot 75 and Lots 11 thru 20 in Gandy's Addition to the
City of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Siter, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-02-33

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District - Light Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-22, referred to therein, established by Section 33-11, of said chapter are hereby changed accordingly, to wit:

Lot number 95 in third Highland Park Addition to the City of Fort Wayne, Indiana, more commonly known as 511 Constance Avenue, Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-02-34

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-30

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 District - General Industrial, under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M-30, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

> Part of the East Half of the Southeast Quarter of Section 23, Township 31 North, Range 12 East Allen County, Indiana, described as follows:
>
> Commencing at the northeast corner of said Half-Quarter Section; thence south and along the centerline of U.S. Highway #27 (Coldwater Road) 428.70 feet; deflecting 90° 21' right parallel with the north line of said Half-Quarter Section 866.79 feet to the place of beginning of this description; thence deflecting 90° 21' left parallel with said centerline 196.40 feet; thence deflecting 89° 39' left parallel with the north line of said Half-Quarter Section 245.24 feet; thence deflecting 89° 39' right parallel with said centerline 212.28 feet; thence deflecting 90° 00' right parallel with the south line of said Half-Quarter Section 697.85 feet to the west line of said Half-Quarter Section; thence north and along the west line of said Half-Quarter Section 413.00 feet; thence east parallel with the north line of said Half-Quarter Section 454.41 feet to the place of beginning, containing 5.495 acres, more or less.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-02-35

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-04-79

WHEREAS, there appears to be a scrivenor's error in the legal description in Zoning Map Ordinance No. Z-04-79 which should be corrected.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Zoning Map Ordinance No. Z-04-79 amending Zoning Map No. L-7 is hereby repealed.

SECTION 2. That the area described as follows is hereby designated a R1 District - One Family Residential, under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974, and the symbols of the City of Fort Wayne Zoning Map No. L-7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Carl J. Weber's Addition - Lots #1 thru 15
A. Kinnaird's Addition - Lots #1 thru 15
Zollar's & Mason's Addition - Lots #21 thru 40
A.D. Bradriff's Addition - Lots #1 thru 45
Bond & Bradriff's Addition - Lots #31 thru 45

SECTION 3. That this Ordinance shall be effective upon passage approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. X-79-02-41

ANNEXATION ORDINANCE NO. X-

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A part of the Southwest Quarter, Section 12, T-31-N, R-12-E described as follows:

Beginning at a point on the north right-of-way line of Cook Road which is 80 feet east of the southwest corner of said Section 12 and 40 feet north of the south line of said Section 12, thence following the east right-of-way line of Coldwater Road N. 33° 16'18"W.54.92 feet; thence N.00° 38'40"W.396 feet; thence N. 5°51'52"W.219.91 feet; thence N.00°38'40"W.720.8 feet to a point on the east right-of-way line of Coldwater Road which is 30 feet east of the centerline of Coldwater Road and 1421.8 feet north of the centerline of Cook Road; thence N.89°06'20"E.150 feet to a point which is on an arc of a circle with a radius of 50 feet and the center of which is on the continuation of the above line; thence on a curve to the right having a radius of 50 feet a distance

of 130.9 feet to a point, said point also being derived by a chord line of 96.59 feet having a bearing of S.75°53'40"E.; thence No.89°06'20" E.674.28 feet; thence S.00°53'40"E.140 feet; thence S.71°18'09"E.61.96 feet to the northwest corner of Lot 122 Wheatridge, SEc. 1 Add.; thence N.68°17'40"E.135.00 feet; thence N.52°35'41'E. 133.54 feet; thence N.29°49'20"E.520 feet; thence S.60°10'40"E.50 feet; thence N.29°49'20"E.135 feet; thence S.60°10'40"E.150 feet; thence N.29°49'20" E.15 feet; thence S.60°10'40"E.530.33 feet; thence S.35°10'40"E.591.53 feet; thence S.00°28'36" E.1065.49 feet to a point on the north right-of-way line of Cook Road; thence S.89°50'18"W.2453 feet along the north right-of-way line of Cook Road to the point of beginning.

SECTION 2. Governmental and proprietary services of the City of Fort Wayne will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Annexation and the City Plan Commission for recommendation

Date: 2-27-79

Charles W. Westerman
City Clerk

BILL NO. A-79-01-19

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance appropriating funds from Cumulative Capital Improvement Fund No. 345 per Senate Enrolled Act 159 (1977) to the City of Fort Wayne General Fund No. 010 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
John Nuckols
Donald J. Schmidt

Concurred in 2-27-79

Charles W. Westerman
City Clerk

BILL NO. A-79-01-19

APPROPRIATION ORDINANCE NO. A-01-79

AN ORDINANCE appropriating funds from
Cumulative Capital Improvement Fund No. 345
per Senate Enrolled Act 159 (1977) to the
City of Fort Wayne'e General Fund No. 010

WHEREAS, it is necessary to appropriate and transfer funds to the City of Fort Wayne's General Fund No. 010 to allow it to operate within budget limitations; and

WHEREAS, there are sufficient funds in the unappropriated and un-

encumbered balance of the Cumulative Capital Fund No. 345 per Senate Enrolled Act 159 (1977) the sum of $500,000.00 to the City of Fort Wayne's General Fund No. 010.

SECTION 2. That the unappropriated and unencumbered balance of the Cumulative Capital Improvement Fund No. 345 per Senate Enrolled Act 159 (1977) is hereby reduced in the amount of $500,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-01-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. A-79-02-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance appropriating funds from Account No. 03-355-355-4001 "Park Cumulative Building Fund" to purchase land for park and recreation purposes have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. A-79-02-01

APPROPRIATING ORDINANCE NO. A-02-79

AN ORDINANCE appropriating funds from Account No. 03-355-355-4001 "Park Cumulative Building Fund" to purchase land for park and recreation purposes

WHEREAS, it is necessary to appropriate funds to the Park Department for the purchase of land for park and recreation purposes; and

WHEREAS, these funds will be used together with a private donation to purchase open space in a densely populated area; and

WHEREAS, there are sufficient funds in the unappropriated and unencumbered balance of Account No. 03-355-355-4001 "Park Cumulative Building Fund" to cover such obligations.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the unappropriated and unencumbered balance of Account No. 03-355-355-4001 "Park Cumulative Building Fund" the sum of $25,000.00 to purchase land for park and recreation

purposes.

SECTION 2. That the unappropriated and unencumbered balance in Account No. 03-355-355-4001 "Park Cumulative Building Fund" is hereby reduced in the amount of $25,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-02-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-22

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance authorizing an amendment to the lease agreement between the City of Fort Wayne, Indiana and Harrison House Realty, Inc., and an amendment to the lease guaranty agreement between the City of Fort Wayne, Indiana and Super Valu Stores, Inc. heretofore executed in connection with the issuance and sale of $2,200,000.00 Economic Development Revenue Bonds, Series 1974 (Super Valu Project) of the City of Fort Wayne, Indiana pursuant to Special Ordinance No. S-39-74 of the Common Council of the City of FortWayne Indiana have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-06-22

SPEICAL ORDINANCE NO. S-29-79

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF FORT WAYNE, INDIANA AND HARRISON HOUSE REALTY, INC. AND AN AMENDMENT TO THE LEASE GUARANTY AGREEMENT BETWEEN THE CITY OF OF FORT WAYNE, INDIANA AND SUPER VALU STORES, INC. HERETOFORE EXECUTED IN CONNECTION WITH THE ISSUANCE AND SALE OF $2,200,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1974 (SUPER VALU PROJECT) OF THE CITY OF FORT WAYNE, INDIANA PURSUANT TO SPECIAL ORDINANCE NO. S-39-74 OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilites and to lease said facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities, and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, in 1974, the Fort Wayne Economic Development Commission (the "Commission") found by written resolution that the economic welfare of the City would be benefited by the acquisition and leasing to Harrison House Realty, Inc. ("Harrison House") of economic development facilities, such lease to be guaranteed by Super Valu Stores, Inc. ("Super Valu"), and, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding that the proposed financing complied with the Act, approved the financing and approved the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease, guaranty and indenture, which resolution and other instruments and information pertaining to the proposed financing were transmitted to this Common Council; and

WHEREAS, this Common Council adopted Resolution No. R-18-74 finding that the proposed financing would be of benefit to the economic welfare of the City, approving the proposed financing and authorizing the issuance by the City, approving the proposed financing and authorizing the issuance by the City of $2,200,000.00 principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project), having terms and provisions and secured as provided by a Mortgage and Indenture of Trust dated as of February 1, 1974 between the City and Fort Wayne National Bank (the "Trustee") and a Lease Agreement dated as of February 1, 1974 (the "Guaranty") between the City and Super Valu as Guarantor; and

WHEREAS, this Common Council by Special Ordinance No. S-39-74 authorized the issuance and sale of said Economic Development Revenue Bonds, authorized the execution by the City of a Mortgage and Indenture of Trust securing the Bonds, the Lease with Harrison House as Lessee and the Guaranty with Super Valu as Guarantor, all of which documents are now in full force and effect; and

WHEREAS, Harrison House, the Lessee under the Lease, has advised the City that it proposes to assign to PYA/Monarch which is a wholly-owned subsidiary of Consolidated Foods Corporation, a Maryland corporation ("Consolidated"), all rights and obligations of Harrison House as Lessee under the Lease,

and Super Valu has advised the City that it proposes to assign to Consolidated all rights and obligations of Super Valu under the Guaranty, such assignments being on the condition that the Lease and the Guaranty are first amended to provide that upon assignment Harrison House shall be relieved of all liability as Lessee under the Lease and Super Valu shall be relieved of all liability as Guarantor under the Guaranty; and

WHEREAS, Monarch and Consolidated have advised the City that Monarch proposes to accept the assignment from Harrison House and to assume all obligations of Harrison House as Lessee under the Lease and that Consolidated proposes to accept the assignment from Super Valu and to assume all obligations of Super Valu as Guarantor under the Guaranty; and

WHEREAS, in implementation of this proposal, Harrison House, Super Valu, Monarch and Consolidated have submitted to this Common Council a proposed form of First Amendment to Lease and First Amendment to Lease Guaranty Agreement, dated as of February 24, 1979 (the "Amendment"), a proposed form of Assignment of Lease Agreement and a proposed form of Assignment of Lease Guaranty Agreement:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the public benefits heretofore found and determined to exist by this Common Council in Special Ordinance No. S-39-74 are in no way affected or diminished by the Amendment and that the Amendment should therefore be approved.

SECTION 2. Approval of First Amendment to Lease and First Amendment to Lease Guaranty Agreement. The Mayor is hereby authorized to attest, the First Amendment to Lease and First Amendment to Lease Guaranty Agreement, dated as of February 24, 1979 (the "Amendment"), and the Clerk is hereby directed to insert a copy of the Amendment, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Amendment, and to keep the same on file. The Amendment shall be executed in substantially the form submitted to this meeting with such changes as are approved by the officers executing it, their execution to constitute conclusive evidence of such approval. By the Amendment, Harrison House may assign all of its rights and obligations under the Lease to Monarch and thereby be relieved of all further liability under the Lease provided that Monarch assumes all obligations of the Lessee under the Lease, and by the Amendment, Super Valu may assign all of its rights and obligations under the Guaranty to Consolidated and thereby be relieved of all further liability under the Guaranty provided that Consolidated assumes all obligations of the Guarantor under the Guaranty.

SECTION 3. Approval of Assignment of Lease Agreement and Assignment of Lease Guaranty Agreement.

The form of Assignment of Lease Agreement whereby Harrison House assigns to Monarch its entire interest in the Lease, as amended by the Amendment, and the Assignment of Lease Guaranty Agreement whereby Super Valu assigns to Consolidated its entire interest in the Guaranty, as amended by the Amendment, are hereby approved in the form submitted to this meeting, and the Clerk is hereby directed to insert a copy of the Assignment of Lease Agreement and a copy of the Assignment of Lease Guaranty Agreement in the form submitted to this meeting and approved hereby in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby and to keep the same on file.

SECTION 4. Prior Ordinance Otherwise Remains in Full Force and Effect. Except to the extent that the authorization of the Amendment shall be deemed an amendment to Special Ordinance No. S-39-74, that Ordinance remains in full force and effect.

SECTION 5. General. The Mayor and the Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City, to execute any and all instruments, perform any and all acts, approve any and all matters and do any and all things deemed by them, or either of them, to be necessary or desirable in order to carry out the purposes of this Ordinance. The Mayor and the Clerk, and each of them, are hereby authorized to execute and deliver the Amendment in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Ordinance, provided, however, that before the Amendment is executed by the Mayor and the Clerk, the written consent of the Trustee shall be obtained as required by Section 12.9 of the Lease and by the Guaranty, and further provided that the City Attorney shall be satisfied that the City will be fully indemnified against any expense incurred in connection with the transaction herein contemplated.

Upon the approval of this Ordinance by the Mayor, the Clerk is authorized and directed forthwith to transmit to Fort Wayne National Bank, as Trustee, a copy of this Ordinance, which shall constitute the request of the City to the Trustee to consent to the Amendment.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Hunter
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-29-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-23

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance authorizing the issuance and sale of $1,200,000.00 First Mortgage Revenue Bonds, Series 1979, Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lease of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, authorizing the execution of the Lease Agreement,

providing for the pledge of revenues for the payment of said bonds authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-02-23

SPECIAL ORDINANCE NO. S-30-79

AN ORDINANCE authorizing the issuance and sale of $1,200,000.00 First Mortgage Revenue Bonds, Series 1979, Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be constructed for Don Ayres Pontiac, Inc. and Paul A. Bradtmiller" and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 18-64.5-1 - 18-6-4.5-29; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic Development Commission together with the comments thereon by the City Plan Commission be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and construction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne and the lease of said facilities to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 18-6-4.5-1 - 18-6-4.5-29. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds (Don Ayres Pointiac, Inc. and Paul A. Bradtmiller, Lessee) in the total principal amount of One Million Two Hundred Thousand Dollars ($1,200,000.00) for the purpose of providing funds to acquire and construct the project and lease the same to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, (all as more particularly set out in the Lease Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Don Ayres Pontiac, Inc. and Paul A. Bradtmiller pursuant to the provisions of the financing agreement

and other sources as provided in the Lease Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 9% per annum and at a price of 100% of the principal amount of such bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between the City of Fort Wayne Economic Development First Mortgage Revenue Bonds, Series 1979 Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-30-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-03

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving Civil City Purchase Order No. 4-05861 with Hite Equipment Repair, Inc. for equipment for the Street Engineering Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

William T. Hinga
Paul M. Burns
Fredrick R. Hunter
James S. Stier

Concurred in 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-03

SPECIAL ORDINANCE NO. S-32-79

AN ORDINANCE approving Civil City Purchase Order No. 4-05861 with Hite Equipment Repair, Inc. for equipment for the Street Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 4-05861, dated January 29, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Hite Equipment Repair, Inc., for the purchase of one Rubberized Asphalt Kettle, Oil Jacketed Type, with 16.5 HP Power Engine, 55 Gal. Drum Heat Bath Oil, Insulated Puring Pots and Jack Type Drop Leg with Pneumatic Caster, to be used in the Street Engineering Department for their Street Repair Program, at a cost of $7,541.25, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmdit

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-32-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-21

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance -- A Resolution authorizing the filing of an application for fiscal year 1979 Community Development Block Grant Funds have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 2-27-79

Charles W. Westerman
City Clerk

BILL NO. R-79-02-21

RESOLUTION NO. R-06-79

A RESOLUTION authorizing the
filing of an application for
fiscal year 1979 Community Development
Block Grant Funds

WHEREAS, the City of Fort Wayne has a goal the provision of a decent and viable living environment for all of its citizens; and

WHEREAS, the City of Fort Wayne has consistently committed itself to the elimination of blight and deterioration which is present within the community and the prevention of its further spread; and

WHEREAS, under the provisions of the Housing and Community Development Act of 1977, the City of Fort Wayne is entitled to receive annual grants through the Community Development Block Grant Program; and

WHEREAS, funding under this program must be used for the promotion of viable urban communities and the prevention or elimination of blight and deterioration, primarily for the benefit of low and moderate income people; and

WHEREAS, the City of Fort Wayne has developed a community development plan and program which is consistent with the City's overall strategy for preventing the further spread and elimination of blight and deterioration; and

WHEREAS, all necessary steps have been taken by the Mayor and the Department of Community Development and Planning staff to properly complete the attached entitlement application for fifth year Community Development Block Grant funding in conformance with that strategy and plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the attached application for $2,639,000.00 in fifth year entitlement funds and the accompanying assurances be approved and forwarded to the U.S. Department of Housing and Urban Development under the signature of Mayor Robert E. Armstrong.

2. That Mayor Robert E. Armstrong, in his capacity as Chief Executive Officer for the City of Fort Wayne, be authorized to act on behalf of the City in contemplating contracural agreements pertaining to this grant and providing additional information and documentation pertinent thereto as required.

3. That the Common Council by its approval of this application hereby reaffirms its intent to reduce and eliminate urban blight within the City of Fort Wayne.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hun ter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution Nc. R-06-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-24

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance -- A Resolution authorizing the issuance and sale of $1,200,000.00 Economic Development Revenue Bonds (Don Ayres, Inc. and Paul A. Bradtmiller) of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring facilities, authorizing the execution of the necessary instruments, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues, and authorizing the sale of said bonds. have had said Ordinance under consideration and beg leave to report

back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 2-27-79

Charles W. Westerman
City Clerk

BILL NO. R-79-02-24

RESOLUTION NO. R-07-79

A RESOLUTION authorizing the issuance and sale of $1,200,000.00 Economic Development Revenue Bonds (Don Ayres Pontiac, Inc. and Paul A. Bradtmiller) of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring facilities, authorizing the execution of the necessary instruments, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues, and authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City")is a municipal corporation and political subdivision of the State of Indiana and by virture of IC 1971, 18-6-4.5-1 through 18-6-4.5-29, inclusive, as amended (hereinafter called the "Act" is authorized and empower to acquire economic development facilities as those words are defined in the Act and to make such facilities available to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Don Ayres Pontiac, Inc. and Paul A. Bradtmiller (the "Corporation") is a corporation fully organized under the laws of the State of Indiana; and

WHEREAS, the Corporation has agreed to construct economic develop-

ment facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City and to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4.5-1 through 18-6-4.5-29, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become of the Fort Wayne Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of the construction of economic development facilities by the Corporation; and

WHEREAS, the Commission has by such resolution approved a Report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the City Plan Commission; and

WHEREAS, Said Plan Commission and Fort Wayne Community Schools, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the Lease Agreement and Indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by Secretary of the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the facilities in connection with the project ("the Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds (Don Ayres Pontiac, Inc. and Paul A. Bradtmiller) herein authorized are "economic development facilities" as the phrase is used

in the Act and the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and the location of the other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this reoslution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry and recreational facilities, and that such benefit is greater than the cost of public facilities (as the phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of $1,200,000.00 Economic Revenue Bonds. In order to pay a portion of the cost of acquiring the Project, there are hereby authorized to be issued, sold and delivered the $1,200,000.00 aggregate principal amount Economic Development Revenue Bonds Don Ayres Pontiac, Inc. and Paul A. Bradtmiller Project of the City. It is hereby recognized that pursuant to the terms of the Lease Agreement, the balance of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease Agreement and unless the context or use indicates another or different meaning or intent and the form of the Bond and the form of the Lease Agreement and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bonds. The total principal amount of Bond that may be issued is hereby expressly limited to $1,200,000.00, provided, however, that additional bonds may be issued as hereinafter provided.

The bond shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The bond shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bond, if any, shall be executed by the facsimile of the official signature of the Mayor and Clerk and such facsimile on any Bond or coupons shall have the same force and effect as if manually signed by such officer. The Bond, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent paid out of monies

attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bond, except as may be otherwise expressly authorized in the Indenture. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the bond or coupons shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bond, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued such prices as shall be approved in writing by the City and the Company.

SECTION 7. Sale of the Bond. The Mayor and Clerk of the City are hereby authorized and directed to sell the Bond. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, the Underwriting Agreement in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payments of the principal of and interest on the Bond, the Mayor and Clerk shall execute, acknowledge and deliver in the name on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon and the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Idenfure contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provision thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. General. The Mayor and Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of the Project by the Company, the issuance and sale of the Bond and the securing of the Bond under the Indenture.

All documents before this meeting, including the Indenture and the Lease Agreement are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them is hereby authorized to execute and deliver said Indenture and Lease Agreement in substantially the form of said documents before this Common Council, on behalf of the City, which such changes therein as such official with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interest of the City and in conformance with the Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistant with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-07=79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending General Ordinance No. G-97 by authorizing the vacation of a certain alley have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

JOhn Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. G-78-09-15

GENERAL ORDINANCE NO. G-05-79

AN ORDINANCE amending Gemeral Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

> The portion of the alley running North and South between Covington Road and Whitmore Street, which abuts Lots 8, 9, and 10 on the East and Lots 11, 12 and 13 on the West in Park's Addition, Section 15, Township 30 North, Range 12 East, Allen County, Indiana, except that part of said alley which is adjacent to the North twelve (12) feet of Lots 8 on the East and the North twelve (12) feet of ot 13 on the West.

SECTION 2. That after passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-05-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-25

RESOLUTION NO. R-08-79

A RESOLUTION IN OPPOSITION TO HOUSE BILL NO. 1631 WHICH WOULD DELETE THE REQUIREMENT OF DOCKETING CLAIMS WITH THE CITY CLERK

WHEREAS, Indiana Code Section 18-1-20-1 requires that each claim

against the city be itemized, verified, filed with the City Clerk, and placed upon the Claim Docket at least five (5) days before it is allowed; and

WHEREAS, the present State law further requires the Clerk to enter each claim by the name of the claimaint, amount claimed, purpose, and date filed; and

WHEREAS, this procedure does not cause undue delay, but rather provides a mechanism for inspection by all taxpayers: and

WHEREAS, House Bill No. 1631 would eliminate a vital check and balance system which has operated effectively since its creation.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Common Council believes that the present claim docketing procedure set forth in Indiana Code Section 18-1-20-1 provides an efficient mechanism for docketing and reviewing all claims within the City.

SECTION 2. House Bill No. 1631 should be defeated since it eliminates a proven and necessary check and balance system within the City.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption by the Common Council.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana as Resolution No. R-08-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. S-79-02-11

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Water Contract #78-XP-1, between the City of Fort Wayne, Indiana and Engineering Sales Company, Inc. for construction of water mains have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 2-27-79

Charles W. Westerman
City Clerk

BILL NO. S-79-02-11

SPECIAL ORDINANCE NO. S-33-79

AN ORDINANCE approving a contract for Water Contract #78-XP-1, between the City of Fort Wayne, Indiana and Engineering Sales Company, Inc. for construction of water mains

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Engineering Sales Company, Inc., for:

> construction of water main on Ardmore Avenue from a point 200 ± LF South of Engle Road Southward 220 ± LF; thence West 45 ± LF

under Board of Public Works Water Contract #78-XP-1, at a total cost of $12,723.00, developer to pay $8,830.00 and City Utilities to pay $3,893.00, the difference for the oversized water main, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-33-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-12

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Water Contract #7824, between the City of Fort Wayne, Indiana and Niemeyer Corporation for construction of a water main have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-02-12

SPECIAL ORDIANNCE NO. S-34-79

AN ORDINANCE approving a contract for Water Contract #7824, between the City of Fort Wayne, Indiana and Niemeyer Corporation for construction of a water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public

Works and Niemeyer Corporation for:

> construction of a 16" water main on Hessen Cassel Road from the north right-of-way line of Linden Drive southward to south property line of Lot 61, Cassel Hills Addition,

under Board of Public Works Water Contract #7824, at a total cost of $27,275.00, contractor to pay $15,815.00 and the City to pay $11,460.00, the difference for the installation of an oversized line, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval be the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-34-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-13

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 0835 with Underground Pipe and Valve, Inc. for equipment for the Water Mainteance & Service Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-02-13

SPECIAL ORDINANCE NO. S-35-79

AN ORDINANCE approving City Utilities Purchase Order No. 0835 with Underground Pipe and Valve, Inc. for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0835, dated February 2, 1979, between the City of Fort Wayne, by and through the City Utilities

Purchasing Agent and the Board of Public Works and Underground Pipe and Valve Inc., for:

> 2-24" Clow Butterfly Valve, M.J. W/Gaskets, Bolts and Glands and 2 -24" Duo Solid Sleeves, M.J. for C.D. Pipe W/Gaskets, Bolts and Glands, Pipe Range 25.80 to 26.32, for Water Maintenance & Service Department.

at a cost of $6,286.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-35-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-14

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Street Light Resolution No. 133-78, between the City of Fort Wayne, Indiana and Schmidt Electric, Inc., Contractor for the Project have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-02-14

SPECIAL ORDINANCE NO. S-36-79

AN ORDINANCE approving a contract for Street Light Resolution No. 133-78, between the City of Fort Wayne, Indiana and Schmidt Electric, Inc., Contractor for the Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Schmidt Electric, Inc., Contractor, for:

installation of ornamental street lighting with underground wiring in the West Central Phase III Area,

under Board of Public Works Street Light Resolution No. 133-78, at a total cost of $52,520.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-36-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-15

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 0822 with Kort Brothers, Inc. for Pump for Water Pollution Control Maintenance have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-02-15

SPECIAL ORDINANCE NO. S-37-79

AN ORDINANCE approving City Utilities Purchase Order No. 0822 with Korte Brothers, Inc. for Pump for Water Pollution Control Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0822, dated January 23, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Korte Brothers, Inc., for:

1 - Model 6TCCD-1 Barnes 6" trash pump with Deutz Diesel Engine, Trailer mounted for Water Pollution Control Maintenance Department,

at a cost of $7,409.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, v. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-37-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-16

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City UTilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 0824 withAllen County Motors for a station wagon for the Office Services Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
James S. Stier

Paul M. Burns
Samuel J. Talarico

Concurred in

Charles W. Westerman
City Clerk

BILL NO. S-79-02-16

SPECIAL ORDINANCE NO. S-38-79

AN ORDINANCE approving City Utilities Purchase Order No. 0824 with Allen County Motors for a Station Wagon for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0824, dated January 31, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allen County Motors, for:

1 - 1979 Mid Size Station Wagon (Ford Fairmount) for the Office Services Department,

at a cost of $4,685.70, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-39-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-42

RESOLUTION NO. R-09-79

A RESOLUTION REQUESTING INSTALLATION OF A TRAFFIC CONTROL DEVICE BEING A TRAFFIC LIGHT TO CONTROL PEDESTRIAN AND VEHICULAR TRAFFIC IN THE INTERSECTION OF HIGH AND SHERMAN STREETS IN THE CITY OF FORT WAYNE, AND REQUESTING THE USE OF REVENUE SHARING FUNDS TO PAY THE COST OF INSTALLATION THEREOF

WHEREAS, Citizens in area of Sherman Blvd., and High Street, in the City of Fort Wayne, Indiana, have invited attention to the hazardous condition and the need for a more adequate control of the movement of the vehicular and pedestrian traffic at the intersection of High Street and Sherman Boulevard in the City of Fort Wayne, Indiana; and

WHEREAS, through the utilization of an electric traffic control signal exhibiting by different colored lights to signal "Go", "Caution" and "Stop" will be needed in said intersection; and

WHEREAS, the use of Revenue Sharing Funds for the purpose of installation of said above signal is in the best interests of safety of the public.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCILOF THE CITY OF FORT WAYNE, INDIANA:

"That the Traffic Engineering Department of Fort Wayne be authorized to immediately request funds from Revenue Sharing for the propose of installation of an electric traffic control device for the installation of proper recognized lights signaling"Go,"Caution" and "Stop", to control motor and pedestrian traffic in the intersection of Sherman Boulevard and High Street, public streets, in the City of Fort Wayne, Indiana."

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico

Nays: None
Absent: One
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-09-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. S-79-01-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending Chapter 28, Sections 28-30 (b), 28-5, 28-11, and 28-21 (b), and (c) of The Code of the City of Fort Wayne, Indiana of 1974 concerning taxicabs, and adding a new Section 28-32 to said Code have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

Concurred in 2-27-79 Charles W. Westerman
City Clerk

BILL NO. S-79-01-08

SPECIAL ORDINANCE NO. S-31-79

AN ORDINANCE amending Chapter 28, Sections 28-30 (b), 28-5, 28-11, and 28-21 (b), and (c) of The Code of the City of Fort Wayne, Indiana of 1974 concerning taxicabs, and adding a new Section 28-32 to said Code

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 28, Section 28-30 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended as follows:

(a) Section 28-30 (b) concerning the charges to be made for the carrying of passengers by taxicabs of the City of Fort Wayne, is hereby amended as follows:

"Section 28-30 (b) Charging of fares by taximeter rate" is hereby deleted in its entirety and the following is substituted therefor:

Section 28-30 (b) Charging of fares by taximeter rate. The following fares shall be charged for carrying of passengers by taxicabs:

(1) From one to and including four passengers, for the first one-eight (1/8) mile or fraction thereof, the fare shall be eighty cents (80);

(2) For each additional one-quarter (1/4) mile or fraction thereof, the fare shall be an additional twenty cents (20);

(3) An additional charge of forty cents (40) shall be made for transporting over four passengers;

(4) For each one minute of waiting time or fraction thereof, the fare shall be an addtional ten cents (10) or Six Dollars ($6.00) per hour.

SECTION 2. That Chapter 28, Section 28-5 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is amended as follows:

"Section 28-5, Financial Statements to be filed with Controller is hereby deleted in its entirety and the following is substituted therefor:

Section 28-5, Financial Statements to be filed with Controller. All taxicab compaines operating in the City shall annually

on the first day of January of each year, file a full and complete financial statement properly certifed to by a Certified Public Accountant with the Controller of the City.

SECTION 3. That Chapter 28, Section 28-11 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is amended as follows:

"Section 28-11, carrying more than one person or group" is hereby deleted in its entirety and the following is substitued therefor:

Section 28-11, carrying more than one person or group.

Except as provided in Section 28-32,it shall be unlawful for taxicabs to carry more than the passenger or more than one group of passengers; provided, that a second passenger or group of passengers shall not be picked up or admitted to a taxicab without the consent of the first passenger or group of passengers engaging such taxicab except when said taxicab is rendering share ride service as provided in Section 28-32 of this Chapter 28.

SECTION 4. That Chapter 28, Section 28-21 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended as follows:

Sections 28-21 (b) and (c) concerning insurance requirements for taxicabs of the City of Fort Wayne are deleted in their entirety and the following is substitued therefor:

Section 28-21 Insurance, guaranty bond required.

(b) Issuance. Such contract of insurance or guaranty bond shall be issued by a reliable insurance company admitted to do business in the state, with not less than one million dollars assets, and such contract of insurance or guaranty bond shall be a five hundred thousand dollar public liability policy for protection of bodily injury, and a contract of insurance or guaranty bond of twenty-five thousand dollars for property damage, such policies to be the standard form of non-deductible provided, except that if an applicant is qualified as a self-insured by the State of Indiana, such contract of insurnace or guaranty bond may be a One Hundred Thousand Dollar ($100,000.00) public liability policy for protection of bodily injury, and a contract of insurance or guaranty bond of Twenty

Five Thousand Dollars ($25,000.00) for property damage, such policies to be the standard form of non-deductible.

(c) Provisions generally. Such contracts of insurance or guaranty bond shall proivde that they and the qualified self insurer covenant that they will pay for any and all damages imposed by law upon such applicant, or any other person operating any motor vehicle as a taxicab under such permit, or by virture of the provisions thereof, provided such damages result from bodily injury, including death, and damage to property sustained by any person during the period covered by such contract of insurance, guaranty bond, and self inssurnace by reason of the ownership, maintenance, operation or use under such permit, or by virture of the provision thereof, of any motor vehicle as a taxicab by any person whomsoever, regardless of the ownership of such motor vehicle. Such contract of insurance or guaranty bond shall contain the further provisions that the obligations and promises contained therein shall not be affected by any act or omission of the named assured, its agents, employees, bailees or licensees, or any other person operating any motor vehicle as a taxicab under such permit, or by virture of the provisions thereof on account of a default in the payment of the premium on such contract of insurance or guaranty bond, or giving of any notice required by the provisions thereof or otherwise, or by the insolvency of the assured named therein.

SECTION 5. Section 28-32 is hereby added to Chapter 28 of The Code of the City of Fort Wayne, Indiana of 1974 and the same hereby reads as follows"

Section 28-32. Shared Ride Taxi Service - Fare Table.

(a) There is hereby created a shared ride taxicab service on a delayed basis. To be eligible for such shared ride taxicab service, any person or persons desiring same shall make a reservation or reservations therefor at least ninety (90) minutes in advance of such shared ride service by phoning in to the office of the dispatcher of the taxicab company, the order for such shared ride service.

(b) Charges for such shared ride taxicab service are computed on a zone basis. A charge is made from the zone in which the point of origin of the trip occurs by the most direct route to the zone in which the point

of destination of the trip is located. A pick up charge is assigned to all zones. The trip charge per passager is the pick up charge, plus the zone travel charge. Zone travel charges and pick up charges are approved by the Comon Council of the City of Fort Wayne, Indiana and are described by the geographical zone map as set forth in Section 28-32 (c) hereof. The total fare per person is computed on the Matrix fare table and directioms for use thereof is set forth in Section 28-32 (d) hereof. Said geopgraphical map and Matrix fare table and directions for use thereof must also be posted in a conspicuous place in each taxicab.

(c) Geographic Map. (see separate sheet marked "Exhibit A")

(d) Directions for using Fare Table. (see separate sheet marked "Exhibit B").

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, V. Schmidt, Stier, Talarico
Nays: Two
Moses, Nuckols
Absent: ONe
D. Schmidt

Date: 2-27-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-31-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 8th day of March, 1979, at the hour of 4: 00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of February, 1979 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 7th day of March, 1979.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 13th day of March, 1979.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER